

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MASCHIO GASPARDO S.p.A.,

*Plaintiff /
Counterdefendant,*

v.

PRECISION PLANTING, LLC,

*Defendant /
Counterclaimant.*

C. A. No. 1:22-cv-1394 (RGA) (LDH)

JURY TRIAL DEMANDED

[PROPOSED] JOINT SCHEDULING ORDER

On March 28, 2025, the Court lifted the stay as to US Patent No. 8,770,121 (the “’121 Patent”), vacated the current schedule, and directed Plaintiff and Counterdefendant Maschio Gaspardo S.p.A. (“Maschio”) and Defendant and Counterclaimant Precision Planting LLC (“Precision”) to file a joint proposed amended scheduling order (D.I. 144).

The parties disagree over whether additional claim construction is necessary. The parties’ respective positions are set forth below.

Plaintiff’s Position

Maschio believes that holding a second Rule 16 conference is unnecessary and a waste of judicial resources. However, Maschio will make itself available if the Court requests such a conference. Maschio proposes the following schedule:

Event	Proposed Date
Deadline for Either Party to Move to Adopt Claim Constructions Relied On by the PTAB	April 25, 2025
Opening Expert Reports (’121 patent only)	May 23, 2025
Rebuttal Expert Reports (’121 patent only)	June 27, 2025
Reply Expert Reports (’121 patent only)	August 1, 2025

Deposition of Experts to be Completed ('121 patent only)	September 5, 2025
<i>Daubert</i> and Case Dispositive Motions ('121 patent only)	October 3, 2025
Joint Proposed Final Pretrial Order, Proposed Voir Dire, Jury Instructions, and Special Verdict Forms	5:00 p.m., 4 th business day before Pretrial Conference
Pretrial Conference	January , 2026 ¹
Jury Trial (5 days)	February , 2026 ²

Defendant's Position

Precision requests that the Court schedule a Rule 16 conference at its convenience to discuss the respective proposals. Precision Planting proposes the following schedule:

<u>Event</u>	<u>Proposed Date</u>
Parties to exchange terms requiring construction and proposed constructions in view of the IPR proceedings before the PTAB	April 18, 2025
Parties' joint claim construction chart	April 25, 2025
Maschio's opening claim construction brief (5000 words)	May 2, 2025
Precision's answering claim construction brief (5000 words)	May 16, 2025
Maschio's reply claim construction brief (2500 words)	May 23, 2025
Precision's sur-reply claim construction brief (2500 words)	June 3, 2025
Parties to file joint claim construction brief	June 6, 2025
Claim construction hearing	June/July 2025
Opening expert reports for party bearing the burden of proof	August 1, 2025
Rebuttal expert reports	August 29, 2025
Reply expert reports	September 26, 2025
Close of expert discovery	October 24, 2025
Summary judgment/ <i>Daubert</i> motions/briefs	November 21, 2025
Answering briefs	December 19, 2025
Reply briefs	January 9, 2025

¹ Plaintiff's lead trial counsel currently has a pretrial conference scheduled on January 13, 2026 in *The Research Foundation for the State University of New York, et al. v. Xiaomi Corporation, et al.*, Case No. 2:23-CV-0353-RWS-RSP (E.D. Tex.).

² Plaintiff's lead trial counsel currently has a trial scheduled to begin on February 17, 2026 in *The Research Foundation for the State University of New York, et al v. Xiaomi Corporation, et al.*, Case No. 2:23-CV-0353-RWS-RSP (E.D. Tex.).

Pretrial conference	TBD (May __, 2026)
Trial (5 day)	TBD (June __, 2026)

Dated: April 11, 2025

/s/ Peter A. Mazur

Timothy Devlin (No. 4241)
tdevlin@devlinlawfirm.com
Neil A. Benchell (*pro hac vice*)
nbenchell@devlinlawfirm.com
Peter A. Mazur (No. 6732)
pmazur@devlinlawfirm.com
1526 Gilpin Avenue
Wilmington, DE 19806
Telephone: (302) 449-9010
Facsimile: (302) 353 4251

*Attorneys for Plaintiff
and Counterclaim Defendant Maschio
Gaspardo S.p.A*

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)
MORRIS, NICHOLS, ARSHT & TUNNELL
LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jtigan@morrisnichols.com

OF COUNSEL:

Scott R. Brown
Matthew B. Walters
Todd A. Gangel
HOVEY WILLIAMS LLP
10801 Mastin Boulevard, Suite 1000
84 Corporate Woods
Overland Park, KS 66210
(913) 647-9050
sbrown@hoveywilliams.com
mwalters@hoveywilliams.com
tgangel@hoveywilliams.com

*Attorneys for Defendants and Counterclaim
Plaintiff Precision Planting, LLC*